

Circular No. 3134

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of Indian Affairs
WashingtonEnrollment under
the Indian Reor-
ganization Act.

March 7, 1936.

To Superintendents:

Section 19 of the Indian Reorganization Act of June 18, 1934 (48 Stat. L., 936), provides, in effect, that the term "Indian" as used therein shall include - (1) all persons of Indian descent who are members of any recognized tribe that was under Federal jurisdiction at the date of the Act; (2) descendants of such members residing on an Indian reservation June 1, 1934; and (3) all other persons of one-half or more Indian blood.

The language "as used in this Act" is construed to mean "for the purpose of sharing in the benefits provided by the Act", as distinguished from tribal rights generally. Thus, if a person of Indian descent belongs to a recognized tribe which was under Federal jurisdiction on the date of the Act (Class 1) or is a descendant of such member residing on a reservation June 1, 1934, (Class 2), he is entitled to participate in the benefits of the Act regardless of his degree of Indian blood; and, likewise, a person of one-half or more Indian blood (Class 3) is eligible therefor irrespective of tribal membership or residence on a reservation.

Manifestly, persons coming in Class 1 will be carried on the rolls as members of the tribe, which is all that is necessary to qualify them for benefits under the Act. However, a record will have to be kept of Classes 2 and 3. As a basis for this record, it has been decided to maintain a "register" of such Indians. To this end, a form of application for registration under the Act has been prepared, as per sample copy herewith. A supply of the forms will be sent you upon requisition.

There will not be many applicants under Class 2, because most persons in this category will themselves be enrolled members of the tribe, except where a final roll has been made, and hence included under Class 1. The main use of the form, therefore, will be to obtain a register of Class 3, - persons having one-half or more Indian blood who are neither enrolled members of a tribe (Class 1) nor un-enrolled descendants of such members residing on a reservation June 1, 1934, (Class 2). However, the form has been so prepared that it is equally applicable to Classes 2 and 3.

In the event that both husband and wife desire to make application for registration under the Act, each should fill out this form. Either the father or mother, regardless of degree of blood or status, can make application for the registration of the minor children. The parent not making application should simply note on the application form that application for the registration of the minor children has been made by the other parent. Application should not be made unless the individual is one-half or more degree of Indian blood.

This form should be prepared in duplicate, and both copies executed before a Notary Public; the original to be sent to this Office immediately upon receipt, and the duplicate to be kept at the agency. You will be notified in due course of the action taken on each case.

This circular does not apply to the tribes which have voted to exclude themselves from the operation of the Indian Reorganization Act. However, any person who is not enrolled and who can trace his degree of blood through members of such a tribe is entitled to make application.

(Sgd) John Collier,
Commissioner.

Enclosure.